



#RCE12486

PTO/SB/30 (09-04)
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| Request for Continued Examination (RCE) Transmittal | |
|--|-------------------|
| Application Number | 10/712,486 |
| Filing Date | November 13, 2003 |
| First Named Inventor | Schechter et al. |
| Group Art Unit | 3739 |
| Examiner Name | Toy, Alex B |
| Attorney Docket Number | 2876 |

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 3.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the amendments/arguments in the Response previously filed on October 13, 2006.
- ii. ☐ Other: _____
- b. ☐ Enclosed:
- i. ☐ Amendment/Reply- _____ pages.
- ii. ☐ Affidavit(s)/Declaration(s).
- iii. ☐ Information Disclosure Statement (IDS).
- vi. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of Action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months: Fee under 37 CFR 1.17(i) required)
- b. ☐ Notification of Extension of Time (for 1 month).
- c. ☒ United States Surgical return postcard.
- d. ☐ Other: _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 21-0550 . I have enclosed a duplicate copy of this sheet. 11/14/2006 HBIZUNES 00000034 210550 10712486
- i. ☒ RCE fee required under 37 CFR 1.17(e). 01 FC:1801 790.00 DA
- ii. ☐ Extension of Time fee (37 CFR 1.136 and 1.17).
- iii. ☐ Other: _____
- b. ☐ Check(s) in the amount(s) of \$ _____ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | |
|---|---|
| Signature | Date November 7, 2006 |
| Name (Print/Type) Thomas A. Beaton | Registration No. (Attorney/Agent) 46,543 |

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|---|---------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Va 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. | |
| Signature | Date November 7, 2006 |
| Name (Print/Type) Mary Jo Milacek | |

U.S. Patent and Trademark Office (PTO/SB/30 (09-04))
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| FEE CALCULATION SHEET | | | | | | |
|--|-------------------------------------|---|---------------------------------------|-------|--------------|-----------------|
| CLAIMS AS AMENDED | | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | EXTRA | RATE | ADDITIONAL FEE |
| Basic Rate | | | | | | \$790.00 |
| Total Claims | 10 | - | 23 | | x \$50 = | .00 |
| Independent Claims | 4 | - | 5 | | x \$200 = | .00 |
| Total Fees | | | | | | |
| Less 50% for Small Entity | | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS RCE | | | | | | \$790.00 |